

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2005-358-C - ORDER NO. 2006-744  
DECEMBER 11, 2006

IN RE: dPi Teleconnect, LLC,	) ORDER APPOINTING
	) HEARING OFFICER
Complainant/Petitioner	) AND REQUIRING
	) PROCEDURAL
v.	) SCHEDULE
	)
BellSouth Telecommunications, Inc.,	)
	)
Defendant/Respondent.	)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion to Appoint a Hearing Officer to Establish a Procedural Schedule filed November 7, 2006, by BellSouth Telecommunications, Inc. (BellSouth) in the present complaint proceeding of dPi Teleconnection, LLC against BellSouth. BellSouth's motion is made in follow-up to this Commission's Order No. 2006-121 dated February 27, 2006. In that order, we granted an uncontested motion to hold this proceeding in abeyance until 30 days after a dispositive order was issued in a similar proceeding in North Carolina. The North Carolina Utilities Commission has now ruled in that case, and has further denied dPi's motion for reconsideration of its ruling. dPi has asked our Commission to continue to hold our proceeding in abeyance while it appeals the North Carolina Commission ruling to the federal district court.

Our previous order specifically stated that the parties were to notify this Commission of the disposition of the matter with the North Carolina Commission, and it specifically reserved our authority to re-open these proceedings at that time so that we could determine whether any further action need be taken in this Docket. Consistent with our earlier decision, it is now an appropriate time for this Commission to establish a procedural schedule to move this docket forward, and to expedite that process through the appointment of a hearing officer.

The Commission hereby appoints Jocelyn G. Boyd, Esquire, Deputy Clerk, to serve as a hearing officer. This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2005).

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the commission, to rule on questions concerning the conduct of the case and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

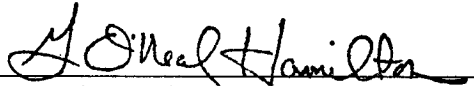
We find that Jocelyn G. Boyd meets this qualification, and we therefore grant the Motion appointing her as hearing officer in this case.

IT IS THEREFORE ORDERED THAT:

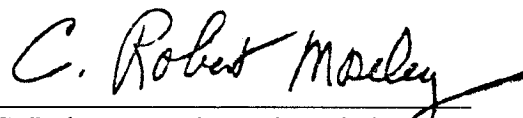
1. Jocelyn G. Boyd is hereby appointed as hearing officer in the pending proceeding of dPi Teleconnect, LLC v. BellSouth Telecommunications, Inc. for disposition of procedural and evidentiary matters.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
\_\_\_\_\_  
G. O'Neal Hamilton, Chairman

ATTEST:

  
\_\_\_\_\_  
C. Robert Moseley, Vice Chairman

(SEAL)